HON'BLE SRI JUSTICE C.V.NAGARJUNA REDDY

WRIT PETITION No. 27781 of 2007

27.12.2007

Between:

Chilaka Yellappa

… Petitioner

AND

The Greater Hyderabad Municipal Corporation,
Rep. by its Deputy Commissioner, Uppal Circle,
Ranga Reddy District & others

… Respondents

Counsel for the petitioner : Sri Vedula Venkata Ramana

Counsel for the respondents : Sri Kodanda Rama Rao

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O R D E R:

This writ petition is filed for a writ of mandamus to declare the inaction on the part of the respondents in granting construction permission to the petitioner in respect of plot Nos. 14 and 15 in Survey No.42 of Ramanthapur Village, Uppal Mandal, Ranga Reddy District.

Heard Sri Vedula Venkata Ramana, learned counsel for the petitioner, Sri Kodanda Rama Rao representing Sri
R. Ramachandra Reddy, learned Standing Counsel for respondent No.1 and perused the record.

It is the submission of the learned counsel appearing for the parties that the issue raised in this writ petition is squarely covered by the order of this Court in Writ Petition No. 16397 of 2004, dated 13.04.2005 and order dated 06.02.2007 in Writ Appeal No.124 of 2007.

The learned Single Judge in Writ Petition No. 16397 of 2004 directed respondent No.1 to consider the application of the petitioner for building permission in accordance with the building rules and regulations and master plan etc. of the Urban Development Authority and if all the requirements are satisfied, he shall not reject the same merely on the basis that the plot falls within the full tank level of Peddacheruvu. The learned Judge also directed the petitioner therein to give an undertaking that in the event the property is acquired for preserving the land for full tank level, he shall not claim compensation for the structure to be raised by him. Against the similar order passed in Writ Petition No. 2235 of 2006, a Division Bench of this Court, to which I am a Member, dismissed the writ appeal filed by Uppal Municipality (presently Greater Hyderabad Municipal Corporation) confirming the order of the learned Single Judge.

In view of the same, the writ petition is disposed of at the

admission stage in terms of order dated 13.04.2005 passed in Writ Petition No. 16397 of 2004 with the direction that the same shall be read as part of this order. No costs.

As a sequel to disposal of the writ petition, W.P.M.P.No. 36432 of 2007 filed by the petitioner for interim relief is disposed of as infructuous.

C.V.NAGARJUNA REDDY, J

27.12.2007

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